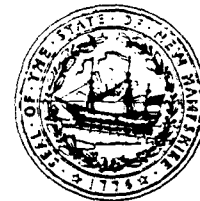




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-1370 FAX (603) 271-1381



July 13, 2000

Mr. Paul F. Mallet
APC Paper Company
Vice President of Operations
130 Sullivan Street
Claremont, New Hampshire 03743

CERTIFIED MAIL (P 605 006 391)
RETURN-RECEIPT REQUESTED

LETTER OF DEFICIENCY
No. ARD 2000-009

Re: Violations of Title V Operating Permit TV-OP-004 and NH Admin. Rules Env-A 100-3600, NH Rules Governing The Control of Air Pollution

Dear Mr. Mallet:

On March 23, 2000, the New Hampshire Department of Environmental Services, Air Resources Division (DES) and the United States Environmental Protection Agency (USEPA) performed a compliance inspection and subsequent file review of the APC Paper Company (APC) in Claremont, NH. The purpose of the inspection was to evaluate compliance with Title V Operating Permit TV-OP-004 (the permit) and NH Admin. Rules Env-A 100-3600, NH Rules Governing The Control of Air Pollution.

As a result of the inspection and file review, the following deficiencies were noted:

- 1) APC is required by Item 9 of Table 7, Section VIII.F Reporting Requirements of the permit and by 40 CFR 70.6(c)(1) to submit to DES an annual compliance certification by April 15 of the following year. DES has received no compliance certification for the year 1999, which was required to be submitted by April 15, 2000, for APC.
- 2) APC is required by Item 3.5 of Table 6, Section VIII.E Record Keeping Requirements of the permit and by Env-A 1211.05(b)(2) to maintain records of opacity emission data, determined after the boiler adjustments of the annual NOx RACT boiler tune-up and efficiency testing, required by Item 2 of Table 5, Section VIII.D Monitoring/Testing Requirements of the permit. APC has no required opacity records for boilers EU1 and EU2 taken during the NOx RACT boiler tune-ups.
- 3) APC is required by Item 3.3 of Table 6, Section VIII.E Record Keeping Requirements of the permit and by Env-A 1211.05(b)(2) to maintain records of NOx emission concentration data, in ppmvd corrected to 15% oxygen, measured after the boiler adjustments of the annual NOx RACT boiler tune-up and efficiency testing, required by Item 2 of Table 5, Section VIII.D Monitoring/Testing Requirements of the permit. Although, APC does maintain records of NOx concentration taken during the NOx RACT boiler tune-up for boilers EU1 and EU2, the NOx concentration data is not corrected to 15 % oxygen as required.
- 4) APC is required by Item 3.4 of Table 6, Section VIII.E Record Keeping Requirements of the permit and by Env-A 1211.05(b)(2) to maintain records of CO emission concentration data, in ppmvd corrected to 15% oxygen, measured after the boiler adjustments of the annual NOx RACT boiler tune-up and efficiency testing, required by Item 2 of Table 5, Section VIII.D Monitoring/Testing Requirements of the permit. Although, APC does maintain records of CO concentration taken during the NOx RACT boiler tune-up for boilers EU1 and EU2, the CO concentration data is not corrected to 15 % oxygen as required.

- 5) APC is required by Items 6(B) and (D) of Table 7, Section VIII.F Reporting Requirements of the permit and by 40 CFR 70.6(a)(3)(iii) to submit to DES every 6 months a summary report of monitoring and testing requirements. The data to be reported includes the NOx RACT testing results, including the NOx and CO concentration data corrected to 15 % oxygen and opacity data, taken during the NOx RACT testing and noted as recordkeeping violations in items 1, 2 and 3 of this LOD. The semi-annual reports submitted to DES by APC in January 1998 and January 1999 did not contain the concentration data corrected to 15 % oxygen or opacity data for boilers EU1 and EU2.

DES believes that the above-noted deficiencies can be resolved by APC taking the following action:

- 1) Within 30 days of receipt of this letter, submit the annual compliance certification for calendar year 1999 that was required to have been submitted to DES by April 15, 2000 by Item 9 of Table 7, Section VIII.F Reporting Requirements of the permit and by 40 CFR 70.6(c)(1).
- 2) Within 15 days of receipt of this Letter of Deficiency ("LOD"), submit to DES a statement documenting the opacity data that was recorded during all previous NOx RACT tune-ups of boilers EU1 and EU2 as required to be taken and maintained by Item 3.5 of Table 6, Section VIII.E Record Keeping Requirements of the permit and by Env-A 1211.05(b)(2) following the opacity measurement procedures noted in permit Item 4 of Table 5, Section VIII.D Monitoring/Testing Requirements.
- 3) Within 15 days of receipt of this Letter of Deficiency ("LOD"), correct all past NOx and CO emission concentration records to 15 % oxygen, as required to be maintained by Items 3.3 and 3.4 of Table 6, Section VIII.E Record Keeping Requirements of the permit and by Env-A 1211.05(b)(2) and as having been recorded during the NOx RACT testing required by Item 2 of Table 5, Section VIII.D Monitoring/Testing Requirements of the permit and by Env-A 1211.05(b)(1) and submit a copy of these corrected concentration records to DES.
- 4) For all future NOx RACT-required boiler efficiency tune-up and efficiency tests required by Item 2 of Table 5, Section VIII.D Monitoring/Testing Requirements of the permit and by Env-A 1211.05(b)(1), record the opacity of the boiler stack emissions following the procedure of Item 4 of Table 5, Section VIII.D Monitoring/Testing Requirements of the permit. Record the NOx and CO emission concentrations and correct them to 15% oxygen. Maintain these records as required by Items 3 of Table 6, Section VIII.E Record Keeping Requirements of the permit and by Env-A 1211.05(b)(2).
- 5) For all future semi-annual submittals of monitoring and testing results required to be submitted to DES by Items 6 of Table 7, Section VIII.F Reporting Requirements of the permit and by 40 CFR 70.6(a)(3)(iii) Env-A 1211.05(b)(2), the NOx RACT testing results shall include NOx and CO concentration data corrected to 15 % oxygen and shall also include the opacity data recorded during the test.

Please address all information to Ms. Mary Ruel, at the following address:

NHDES Air Resources Division
Compliance Bureau
6 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

In the event that any future violations of these rules occur, or if no response is received, DES may take further action against APC including issuing an administrative order, seeking administrative fines, and/or referring this matter to the NH Department of Justice for civil and/or criminal penalties. Should you desire a copy of the EPA Compliance Inspection Report, please contact Rebecca Fishman of the EPA. If you have any questions regarding this matter, or require further information please contact Raymond Walters at (603) 271-6288 or Mary Ruel at (603) 271-6795.

Sincerely,


COPY

Robert R. Scott
Administrator
Compliance Bureau
Air Resources Division

RRS/dmj

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cc. K. Colburn, Director, NHDES-ARD
G. Rule, NHDES-O/C
T. McCusker, EPA-Region I
R. Fishman
Enforcement File